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RESOLUTION NO. 05-0424

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING **STORM WATER DRAIN NO. 250, (NORTH OF 13TH, EAST OF WEBB) 468-83950**, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING **STORM WATER DRAIN NO. 250, (NORTH OF 13TH, EAST OF WEBB) 468-83950** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. **05-129** adopted on **March 20, 2005** is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to improve **Storm Water Drain No. 250, (north of 13th, east of Webb) 468-83950**.

SECTION 3. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Two Hundred Ninety Thousand Dollars (\$290,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **December 1, 2004**, exclusive of the costs of temporary financing.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

THE WATERFRONT ADDITION

Lot 3, Block 1, except **BEGINNING** at the Northwest corner of said Lot 3, thence along a curve to the right and along the North line of said Lot 3, 33.53 feet, said curve having a central angle of 07°41'03", a radius of 250.00 feet, and a long chord distance of 33.50 feet, bearing S69°28'12"E; thence continuing along said North line on a platted bearing of S65°37'40"E, 267.82 feet; thence S23°53'43"W, 46.00 feet; thence N65°37'40"W, 119.85 feet; thence S79°38'35"W, 79.51 feet; thence S24°22'20"W, 56.40 feet; thence S01°06'12"W, 167.69 feet; thence S30°00'00"E, 106.49 feet to the Southwesterly line of said Lot 3; thence along said Southwesterly line of said Lot 3, N53°19'02"W, 37.89 feet to the Westerly line of said Lot 3; thence along said Westerly line for the next four courses, N22°10'21"W, 171.48 feet; thence N14°23'50"E, 69.32 feet; thence N00°35'51"W, 82.64 feet; thence N09°01'02"W, 110.57 feet to the **POINT OF BEGINNING**.

Lot 4, Block 1;

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **square foot** basis:

In the event all or part of the lots or parcels in the improvements district are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq. as amended.

SECTION 9. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, August 16, 2005.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK
(SEAL)